

SENATE BILL 285

By Burchett

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 1, relative to assaults and
aggravated assaults.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subsection (a) and substituting instead the following:

(a) A person commits aggravated assault who:

(1) Intentionally or knowingly commits an assault as defined in § 39-13-101, and:

(A) Causes serious bodily injury to another;

(B) Uses or displays a deadly weapon; or

(C) Attempts or intends to cause serious bodily injury to another by strangulation; however, the state shall not be required to prove that the strangulation resulted in actual injury to the victim; or

(2) Recklessly commits an assault as defined in § 39-13-101(a)(1), and:

(A) Causes serious bodily injury to another; or

(B) Uses or displays a deadly weapon.

(3) For purposes of subdivision (a)(1)(C) "strangulation" means intentionally impeding normal breathing or circulation of the blood by applying pressure to the throat or neck or by blocking the nose or mouth of another person.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.